

CHARTER COMMISSION MEETING MINUTES

MONDAY, NOVEMBER 15, 2010

705 W. University Avenue, Council Auditorium

Commission members in attendance: Odon Bacque, Dale Bourgeois, Karen Carson, Bruce M Conque, George A. Lewis, Greg Manual, D. Keith Miller, Stephen J. Oats, Aaron Walker

Absent: None

Charter staff members in attendance: Vivian Neumann (Assistant City-Parish Attorney) and Veronica L. Williams (Charter Commission Clerk)

Council Members/Staff in attendance: Council Members Don Bertrand & Keith Patin, Council Clerk Norma Dugas

Administration staff in attendance: Director of Lafayette Utilities System Terry Huval

(5:30 p.m.) AGENDA ITEM NO. 1: Call to order
Chair George Lewis called the meeting to order.

AGENDA ITEM NO. 2: Invocation and Pledge of Allegiance
Commissioner Bruce Conque was called upon to deliver the invocation and lead the Pledge of Allegiance.

AGENDA ITEM NO. 3: Comments/Announcements from Commission Members.

Carson asked for clarification on previous comments made by Tony Tramel, Director of the Traffic and Transportation Department, regarding limits on transit grant funding when the population reached 220,000. Lewis stated that Tony Tramel would be contacted to provide clarification on the statement.

AGENDA ITEM NO. 4: Further consider and discuss proposals relative to the governance structure of Lafayette Consolidated Government

Manuel noted that Carson had provided information to the Commissioners on the Louisville Consolidated Government structure and asked if there was something specific in their model that she wanted to point out. Carson responded that Louisville continue to review and make needed changes and noted that some cities did choose to opt out of their structure. Manuel stated that he did not see where the Louisville model was significantly different from the current Home Rule Charter of Lafayette. Carson added that the mayor had to be from the City of Louisville; and the government operated under a strong mayor-council form of government.

Carson asked that the Commission consider a governance system that would not further harm the unincorporated parish. Conque indicated that the concern was 2-fold 1) the City of Lafayette's sovereignty and 2) not to ignore the needs of unincorporated parish. Bacque reiterated that he was still not convinced that there was a need for two governments and added that it seemed all progressive cities were moving towards a consolidated government. Speaking from previous comments, Bacque questioned why the City of Lafayette was considered to be in a detrimental position because it did not have sovereignty. Conque gave two examples of votes involving the go-cups and LUS rate increase, where City issues were approved due to votes from rural Council Members. He did not feel that, he as a citizen of the City, should be dependent on the votes of Council

Members who did not live in the City. Oats clarified that votes such as these were considered a misalignment of interests. Bacque emphasized that he was not convinced that the current Charter was not working for the Parish.

Being a former City-Parish Council Member, Bourgeois reminded that a Council Member had to take into account the position of city residents they represented, albeit there were a minimal number of citizens. Manuel stated that he heard arguments from both sides; and it seemed that this was a question for the voters being, “*Did the voters want to leave the structure as is or go back to the structures pre consolidation?*” Carson identified annexation as one of the major problems with the current system. Lewis stated that the Commission could offer voters an option and should the measure fail, the current form would be retained.

Manuel added that the Commission had to come to a consensus on a basic structure and noted that it appeared there was consensus on the way consolidation of services worked. Conque reminded that no matter what structure the Commission chose, the funding issue would not be addressed by the Commission. Oats thought that the Commission needed guidance from someone who had expertise in this area. It was his opinion that the Commission needed to ask the Council for additional funding for a proposal for a consultant.

Carson questioned whether annexation prevention or inclusion language should be considered. Conque stressed that the ballot item should not be confusing and reminded that the last simple ballot item with reference to amending the Charter for reapportionment was voted down by 20,000 residents. Bacque suggested that a ballot proposal retain the current form of government with the tweaks, while a second ballot item would include a separate governments proposal with the tweaks. Manuel concurred and felt the voters would then make the choice.

Oats reiterated that the voters would be confused if alternatives were offered and Lewis concurred, adding that Legal should review the options and advise on whether it would be feasible to offer alternatives.

A motion by Manuel, seconded by Oats **to identify a preliminary Charter amendment to build two different models: 1) to separate the governments for the city and parish, including the changes (tweaks) recommended by the department directors/elected officials, and 2) to retain the current Home Rule Charter, including the changes (tweaks) recommended by the department directors/elected officials, with there being continued discussion by the Commission to further build on the two models,** the vote was as follows:

YEAS: Bacque, Bourgeois, Carson, Conque, Lewis, Manuel, Miller, Oats

NAYS: Walker

ABSENT: None

ABSTAIN: None

The motion was approved

Lewis referred to the changes recommended by the department directors/elected officials and stated that he would begin making the suggested changes to the Charter and present a red-lined version to the Commission. Oats then asked if the Commission was prepared to come to a consensus on the number of members for the parish council. The sentiment was not to address it at this time.

Conque stated that he would like to get clarification from the Legal Department on that last paragraph of O-074-2010 which read:

... “*To that end, the Commission is empowered to propose the repeal or replacement of the*

Home Rule Charter or particular revisions, additions or amendments to the Home Rule Charter, by either a single plan or to propose alternative plans which may consist of two (2) or more plans of governments for the City of Lafayette and/or the Parish of Lafayette, as aforesaid."

Conque stated that the provision was confusing and could be interpreted in different ways. Further, he questioned whether it was legal to move forward with the just approved action. Additionally, he reminded that the Commission needed to look at options for LUS. Bacque indicated that he would like to hear from the bonding attorneys to get more input on LUS.

AGENDA ITEM NO. 5: General comments from the public on Consolidation

► Lewis Kellogg reminded that two mayors tried to sell LUS, which was owned by the citizens of the City of Lafayette and asked that language be added that would require a vote of the people to sell LUS. It was his opinion that the Council should vote on LUS matters.

► Don Bertrand stated that the current form of government was a hybrid and emphasized that a government was 1 man-1vote. In response to fixing the annexation problem, he noted that the time to stop annexation had passed. Concern was expressed on how governance and separation were being discussed.

► Conrad Comeaux responded to the question of why consolidation was detrimental to the City of Lafayette. When the City of Lafayette sold water on a 40 year contract to other municipalities or water providers, the primary carrot for annexation was given away; this was detrimental to the City. Further, the parish president did not want to hear anything about annexations for the City of Lafayette. Comeaux noted that if this form of government continued, there would be no benefit to the unincorporated parish.

AGENDA ITEM NO. 6: Next meeting date

The next meeting was scheduled for Nov 29, 2010. Lewis reminded that the November 22 meeting would be cancelled.

AGENDA ITEM NO. 7: Adjourn

There being no further business, the meeting adjourned at 7:29 p.m.